

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: In the Matter of National Environmental Policy Act Compliance for Proposed Tower Registrations; In the Matter of Effects of Communications Towers On Migratory Birds, WT Docket No. 08-61, WT Docket No. 03-187, Order on Remand

Today, at long last, the Commission has responded to the DC Circuit's rebuke to our previous rules that fell short of meeting our responsibilities under the National Environmental Policy Act, the Endangered Species Act, and the Migratory Bird Treaty Act.

While I am disappointed it has taken nearly four years to respond to the court, I am encouraged these interim rules will give more parties greater opportunity to register their concerns about migratory birds when a tower goes up, including ranking tower lighting styles based on their effects on migratory birds. To be sure, we are mindful of the need for towers for quality voice and data services. But this isn't an either/or proposition - we can fulfill both these critical purposes with some careful work.

I applaud the Infrastructure Coalition and Conservation Groups for working together to offer proposals that respond to the court and pave the way to interim rules. I also want to thank the Wireless Bureau and Office of General Counsel for their roles in getting us here, including our ongoing coordination with the Federal Aviation Administration on tower lighting and its effects on migratory birds.

We have waited far too long for these interim requirements. Let's hope that we do not have to wait nearly as long to get permanent rules in place.